

DEMOCRATIC NATIONAL COMMITTEE v. US DEPARTMENT OF JUSTICE et al**District of Columbia District Court**

Case no. 1:26-cv-00825-BAH (D.D.C.)

Filed date: July 13, 2026

Docket entry no.: N/A

Docket text:

MINUTE ORDER (paperless), upon consideration of the parties' 22 Joint Status Report ("JSR") regarding record requests made eight months ago, pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, to components of the U.S. Department of Justice ("DOJ"), U.S. Department of Homeland Security ("DHS"), and U.S. Department of Defense ("DoD"), "seeking records related to the deployment of uniformed military or national guard personnel to polling places, ballot drop boxes, or election offices between the start of early voting and the completion of election certification," see Compl. ¶ 112, ECF No. 1, to which requests not a single page of responsive materials has yet been produced, with less than four months before the 2026 midterm elections, DIRECTING defendants to immediately begin processing potentially responsive to plaintiff's requests at a rate of at least 1,000 pages per month, including the month of July, and producing records for each outstanding request; and FURTHER DIRECTING the parties to file, by July 24, 2026, and every 14 days thereafter, a joint status report advising the Court of the status of this matter, whether any disputes remain, and if so, proposing a schedule for further proceedings. Despite the unambiguous order that remaining searches be completed by July 1, 2026, two agencies appear to still be in the process of narrowing search terms, with their searches not yet completed. Specifically, two DHS components, Immigration and Custom Enforcement ("ICE") and U.S. Customs and Border Protection ("CBP"), appear to be noncompliant with the Court's order. Specifically, ICE had previously represented that no responsive records were found, JSR at 8, but has now reversed its position only after plaintiff pointed out that "ICE agents have conducted enforcement actions outside active polling places in Texas and California," that "ICE agents also entered an active polling place in New York to confront a poll worker over a months-old Instagram post addressing the killing of Renee Good," and that Secretary of Homeland Security Mullin has testified on "ICE deployments in polling places," id. at 4 & n.2. Now, ICE reports 11,103 potentially responsive pages, id., with additional searches for additional responsive documents by components within ICE still underway, see id. at 8-9. Additionally, CBP initially uncovered "approximately 1.6 million potentially responsive records," but a search with narrower parameters revealed 116,779 such records, see id. at 8, with CBP still "currently reviewing" a new proposal with even narrower parameters. The parties will address the status of these searches in their next joint status report and a full explanation as to the lack of the compliance by ICE and CPB with the Court's order, dated May 26, 2026. Further, to be clear, ICE and CBP shall still process 1,000 pages of potentially responsive material for the month of July 2026 and each month thereafter, and produce non-exempt responsive records during completion of any ongoing searches. Signed by Judge Beryl A. Howell on July 13, 2026. (lcbah4) (Entered: 07/13/2026)